

## NOTICE OF CATEGORICALLY EXCLUDED COASTAL ZONE DEVELOPMENT

The project described below is located within the City of Eureka Categorical Exclusion area of the Coastal Zone. It has been determined this project is excluded from the Development Permit requirements of the Coastal Act and the City of Eureka Local Coastal Program pursuant to City of Eureka Categorical Exclusion Order E-88-2 and Section 10-5.29304.1 (Section 156.098) of the City of Eureka Municipal Code.

**Project Title:** Hilton Home2 Suites Hotel and Merger; 2112 Broadway

**Case No:** CX-22-0002

**Project Applicant:** SJN Hospitality, LLC

**Project Location:** 2112 Broadway on the corner of Broadway and West Hawthorne Streets; APN's; 007-011-002, and -005

**Zoning and General Plan:** Service Commercial (CS) & General Service Commercial (GCS)

### **Category of Excluded Development:**

Pursuant to Eureka Municipal Code §10.5.29304.1, the project is located in an area of Categorical Exclusion and is exempt from CDP Permit requirements because it falls within the following category:

- ☒ (a) The construction, reconstruction, demolition, or alteration of the size, type or intensity of any development of a principally permitted use or uses in the areas of the Eureka Coastal Zone that are zoned for residential, commercial, or industrial development may be excluded, except for the following:
  - ☐ (1) Public works facilities or improvements costing more than \$250,000.
  - ☐ (2) The development involves demolition of a structure of architectural or historic significance.
- ☐ (b) The clearing of land and/or removal of vegetation.
- ☐ (c) Lot line and boundary adjustments as defined in Cal. Gov't Code § 66412(d) (Subdivision Map Act) between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created.
- ☐ (d) Grading of less than 100 cubic yards.
- ☐ (e) Permits for encroachment into public rights-of-way.

- ☐ (f) Construction, reconstruction, upgrading, replacement, rehabilitation, or installation of all public works and public facilities (including, but not limited to utility extensions, road improvements, sidewalks, bicycle lanes, street planting, water and sewer systems and the removal of architectural barriers to handicapped persons) costing \$250,000 or less. The upgrading of streets to current city standards within existing rights-of-way where no additional right-of-way is being obtained allowing, however for minor right-of-way acquisitions at intersections.
- ☐ (g) Wall mounted signs, located on-site, less than 24 square feet in size, nor higher than the vertical wall to which they are attached, located within the "CW," "CS," or "CP" zoning designations of the Eureka Local Coastal Program, except as follows: Lots or parcels within or visible from scenic coastal resource areas, as defined in the Eureka Local Coastal Program.
- ☒ (h) Subdivision and parcel maps of five parcels or less.

**Project Description and Exclusion Justification:**

SJN Hospitality, LLC is proposing to construct a four (4) story, 85 room, approximately 55,000 square foot, Hilton Home2 Suites Hotel, located at 2112 Broadway. The two parcels (APN's; 007-011-002, and -005) will also be merged prior to construction.

The deepest point of excavation will be six (6) feet below grade. In July of 2021, a Cultural Resources Investigation was completed by Roscoe and Associates and no resources were identified in the investigation and Inadvertent Discovery Protocol was recommended for the project.

The exclusion is justified because the proposed improvements will be made to a principally permitted use, and will not occur within 200 feet of an ESHA or wetland. Also, as requested by the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria, and the Table Bluff Reservation (Wiyot Tribe), inadvertent discovery language will be included as a Condition of Approval for the project to ensure that impacts to any archaeological resources that are unearthed during construction are avoided.

1. The Property Owner/General Contractor shall be responsible for notifying and insuring all other contracted or secured service vendors that undertake ground disturbing activities for this project are in compliance with the conditions below.
2. Violations of these conditions shall be subject to penalties as allowed under current laws and codes.
3. If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate

the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19<sup>th</sup> century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.

4. In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code Section 5097.8. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.
5. Costs for monitoring, reporting and, if needed, a consulting archaeologist agreed upon by the three THPOs who will consult, develop and implement a rapid response inadvertent discovery data recovery excavation plan, plus analyses of recovered constituents and reporting of potentially significant discovery(s), shall be borne by the Applicant.

**Required Permits:** Although no Coastal Development Permit is required for this project, the project is subject to the following authorizations or permits:

- M-22-0001 (Merger)
- SIGN-22-0001 (Sign Permit)
- B2I-0801 (Building Permit)

Questions regarding this notice should be directed to Planning, Eureka City Hall, 531 K Street, Eureka, California, telephone (707) 441-4160.

**Approved By:**

  
Cristin Kenyon, Principal Planner

January 31, 2022  
Date of Determination

